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PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Masaaki IMAI

Group Art Unit: 2122

Application No.: 09/277,373

Examiner: C. Kendall

Filed: March 29, 1999

Docket No.: 103014

For: DEVICE FOR REWRITING SOFTWARE PROGRAMS IN PERIPHERAL DEVICES
CONNECTED TO A NETWORK

REQUEST FOR RECONSIDERATION

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the December 4, 2002 Office Action, reconsideration of the above-identified application is respectfully requested. Claims 1-25 are pending.

Claims 1-8 and 20-25 are rejected under 35 U.S.C. §103(a) over Otto (U.S. Patent No. 5,706,431) in view of Traversat et al. (hereinafter "Traversat"), U.S. Patent No. 6,161,125 and claims 9-19 are rejected under 35 U.S.C. §103(a) over Otto in view of Traversat as applied to claim 6, and further in view of Herrmann et al. (hereinafter "Herrmann"), U.S. Patent No. 5,737,536. The rejections are respectfully traversed.

Page 3 of the Office Action states that Otto fails to explicitly disclose a peripheral device connected to a network, as recited in claims 1, 4, 6, 10, 12 and 15. Similarly, Applicant submits that Otto fails to disclose a printer connected to the network, as recited in claim 19. Page 3 of the Office Action further states that Traversat discloses this feature, and thus it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Otto with Traversat to disclose Applicant's claimed invention.

However, Applicant respectfully submits that Traversat fails to overcome the deficiencies of Otto because Traversat is not prior art. The priority date of P10-83856, from which Applicant claimed priority, is March 30, 1998 and the filing date of Traversat is May 14, 1998. Accordingly, Traversat is not prior art. A verified translation of P10-83856 will be filed as soon as it is available.

For at least these reasons, Applicant respectfully submits that the combination of Otto and Traversat fails to disclose or suggest all the features of claims 1, 4 and 6 as well as all the features of claims 2, 3, 5, 7-9 and 20-23, which depend therefrom. In addition, for at least these reasons Applicant submits that the combination of Otto, Traversat and Herrmann fails to disclose or suggest all the features of claim 10, 15, 17 and 19 as well as all the features of claims 11, 13-14, 16, 18 and 24-25, which depend therefrom. It is respectfully requested that the rejections be withdrawn.

In view of the foregoing, Applicant submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-25 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number set forth below.

Respectfully submitted,



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JAO:MMI/ccs

Date: March 4, 2003

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